

REMARKS/ARGUMENTS

Claims 1, 3-10 and 12-14 are pending in the application. Claim 1 has been amended, and claim 3 has been canceled by way of the present amendment to place the application in better condition for appeal.

The rejection of claims 1, 3-10 and 12-14 under 35 U.S.C. §103(a) as being unpatentable over Locke et al. (U.S. Patent No. 5,756,020) in view of Reinehr et al. (U.S. Patent No. 4,087,494) and Hixon et al. (U.S. Patent No. 5,445,653) is respectfully traversed in view of the amendments made to claim 1.

The Examiner did not accept Applicant's arguments filed on 2/15/06, and pointed (1) the claim 1 is open to the exclusion of other components because of word "comprising"; (2) the reference was used to teach the advantages of overdyeing; (3) off-white is frequently grey-white; and (4) "off-white" is not a claim limitation. Amended claim 1 addresses (1) and (4) in that the phrase "comprising" has been changed to "consisting essentially of".

The Examiner cited Reinehr et al., US 4, 087, 494 and Hixon et al., US 5, 445, 653, and claimed that they taught the advantages of overdyeing. Both of the prior arts actually teach away from the present invention.

Reinehr et al. disclose a process of adding carbon black into acrylic polymer before making a fiber then overdyeing the fiber (column 1 lines 35-39). Reinehr et al. further disclose that the addition of carbon black will add dark shades into the fiber and thus save the amount of dye required for the final product. Therefore, the teaching can only be used to make fiber with dark colors, such as, for example, dark brown (column 2 lines 22-31). Moreover, Reinehr et al. describe that the invention cannot be used to make fibers with any light yellow, red or green shades.

In contrast, the present invention is directed to producing fibers of light yellow, red, and/or green shades with the benefit of color fastness by adding a small amount of any color pigment except for carbon black into a polymer and then overdyeing. Those skilled in the art cannot extend the teachings of Reinehr et al. to achieve the present invention.

Similarly, Hixon et al. mention that solution dyed nylon will not wash out or bleed during further dyeing treatment. Hixon et al. further disclose that the solution dyed nylons are available in only a few solid colors thus there is a limit to the designs available (column 1 lines 37-45). The Examiner then cited that Lock et al. taught a process to make a larger variety of colored shades of nylon yarns using pigments. The Examiner concluded that the

combined prior art teachings of Hixon et al. and Lock et al. would teach overdyeing the pigmented nylon yarns to a large variety of colors. However, the combination of the prior arts only teach overdyeing the pigmented nylon yarns using similar color shades of dyes. The overdyed nylon yarns are still limited to the colors of pigmented yarns. From Applicant's previous argument, the technique disclosed in the prior art references would cause one to maintain a huge inventory of pigmented yarns with various colors to meet the market demands. Only Applicant realized the problem and found a solution in the present invention. Now it is possible to make a variety of color shades of nylon yarns with color fastness and without any inventory.

The prior art only teach overdyeing pigmented fibers that have visible shades so that the amounts of dye with similar color as the fibers can be saved. Nobody in the prior arts teaches overdyeing the pigmented fibers without any color shades to get the benefit that the Applicant obtains.

Finally, for the ordinary people skilled in the art, "off-white" is different from "grey-white". Off-white has discernable hue. Colors having hue are known as chromatic colors such as a green, yellow, or purple hue. White, black and grays possess no hue. Thus, grey-white has no discernable hue. It is a mixture of black and white only.

CONCLUSION

It is believed that the foregoing amendment and remarks constitute a complete response to the Examiner's FINAL Action dated May 9, 2006, and place this application in condition for allowance. Entry of the Amendment is respectfully requested.

Should the Examiner have any questions regarding this Amendment, or the remarks contained herein, Applicant's attorney would welcome the opportunity to discuss such matters with the Examiner. Applicant believes no extra fees are due with this request. However, if additional fees are required, please charge or credit the balance to Deposit Account 50-3223 (Invista North America S.à r.l.).

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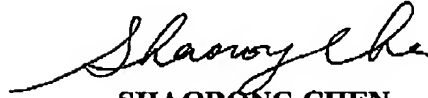
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Respectfully submitted,



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